

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 02/21/2023

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CARL D. WELLS,

Petitioner,

-v-

SUPT MARK MILLER,

Respondent.
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21-cv-11231 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

In his letter brief dated February 10, 2023, respondent Superintendent Mark Miller (“Respondent”) indicated that “the chief remaining gap in the record” on appeal is the transcript of one day of *voir dire*. Dkt. No. 72 at 2. Respondent further represented that “the Appellate Division reportedly ordered these missing pages on February 1, 2023, and expects to receive the corrected pages within 30 days of that order.” *Id.*

On or before March 15, 2023, Respondent is directed to inform the Court whether (1) Petitioner’s appellate counsel, the Office of the Appellate Defender (“OAD”), has received the full record on appeal; (2) OAD has filed the record on appeal and expects to perfect Petitioner’s appeal within 180 days of the filing date, as required by the Indigent Criminal Appeals Management Program for the Appellate Division, First Department; (3) OAD and the Appellate Division anticipate taking any action to expedite Petitioner’s appeal.

SO ORDERED.

Dated: February 21, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge